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General Assembly
Seventieth session

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## Fifth Committee

**Summary record of the 30th meeting**
Held at Headquarters, New York, on Friday, 18 March 2016, at 10 a.m.

*Chair*: Mr. Bhattarai ..... (Nepal)
*Chair of the Advisory Committee on Administrative and Budgetary Questions*: Mr. Ruiz Massieu

## Contents

Agenda item 134: Programme budget for the biennium 2016-2017 (*continued*)

*Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council* (continued)

*Thematic cluster I: special and personal envoys and special advisers of the Secretary-General* (continued)

*Office of the Special Adviser to the Secretary-General*

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16-04432 (E)

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*The meeting was called to order at 10.10 a.m.*

**Agenda item 134: Programme budget for the biennium 2016-2017** (*continued*)

*Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council* (continued)

*Thematic cluster I: special and personal envoys and special advisers of the Secretary-General* (continued)

*Office of the Special Adviser to the Secretary-General* (continued) (A/70/7/Add.47, A/70/348/Add.8 and A/70/348/Add.8/Corr.1)

1. **Ms. Bartsiotas** (Controller), introducing the report of the Secretary-General on the proposed resources under thematic cluster I for the Office of the Special Adviser to the Secretary-General appointed to support an inclusive dialogue and the peaceful resolution of conflict in Burundi (A/70/348/Add.8 and A/70/348/Add.8/Corr.1), said that the Special Adviser would work with the Government of Burundi and other concerned stakeholders, as well as with subregional, regional and international partners. The estimated resources for the Office, which included 49 positions, amounted to $9.4 million, to be charged against the balance of the provision for special political missions appropriated under section 3, Political affairs, of the programme budget for the biennium 2016-2017.

2. Pending approval of the budget proposal by the General Assembly, the initial requirements were being met through a commitment authority of the Secretary-General in the amount of $1.6 million under the provisions of General Assembly resolution 70/250, on unforeseen and extraordinary expenses for the biennium 2016-2017.

3. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/70/7/Add.47), said that the Advisory Committee recommended that the General Assembly should approve the resources requested by the Secretary-General. However, since the Office's activities were at an early stage, some adjustments should be made to the proposed staffing levels, both in Bujumbura and at United Nations Headquarters. Furthermore, considering the small size of the mission, some reductions should be made in the support component.

4. **Mr. Kisoka** (United Republic of Tanzania), speaking on behalf of the Group of African States, said that the Group was committed to addressing the political challenges in Burundi and elsewhere in Africa in an efficient and effective manner. The Group had taken note of the Secretary-General's proposals and fully supported the deployment of an additional United Nations team on the ground in Burundi to complement the efforts of regional and subregional actors to address the political and security challenges in the country. Nonetheless, the Group had concerns regarding some aspects of the Secretary-General's proposals that lacked clarity and justification.

5. By its resolution 70/8, the General Assembly had endorsed the conclusions and recommendations of the Committee for Programme and Coordination in its report on its fifty-fifth session (A/70/16), which included the recommendation that the General Assembly should emphasize the need for the organizations of the United Nations system and intergovernmental bodies to continue to fully take into account the views, comments and/or input of the African Union and other regional and subregional mechanisms in their policy formulation and decision-making, mainly in the areas of mediation, conflict prevention and peace and security. In that regard, the Group wished to remind the Secretary-General of the importance of respecting the terms of General Assembly resolution 70/8 when developing and submitting his proposals. The Group would also be interested to learn how the provisions of the resolution had been taken into account in the current proposals.

6. The Peace and Security Council of the African Union had noted with satisfaction the readiness of the members of the African Union high-level delegation to continue supporting the mediation efforts led by President Yoweri Museveni of Uganda on behalf of the East African Community, particularly with regard to the need to ensure that all stakeholders in Burundi participated in the inclusive dialogue and actively preserved the gains of the Arusha Agreement.

7. The Peace and Security Council had also welcomed the recent visit by the Secretary-General of the United Nations to Burundi, as part of international

support for African-led efforts to find a lasting solution to the crisis in Burundi.

8. The Secretary-General's proposals provided no information on division of labour and the roles of the multiple representatives of the Secretary-General whose mandates included the situation in Burundi, for example, the United Nations Regional Office for Central Africa, the Office of the Special Envoy of the Secretary-General for the Great Lakes Region, the United Nations Office to the African Union, the Office of the High Commissioner for Human Rights and the United Nations country team, all of which were led by an official at the level of Under-Secretary-General. Furthermore, the proposals should have presented information not only on United Nations structures but also on all the regional and subregional actors involved in the activities described, including the East African Community, the African Union and the International Conference on the Great Lakes Region. In addition, since the title of the Secretary-General's envoy was the Special Adviser on Conflict Prevention, including in Burundi, the mandate went beyond the situation in Burundi. The Group looked forward to receiving clarification in that regard.

9. The East African Community Summit had appointed President Museveni as the Community's mediator for the inter-Burundian dialogue. In addition, the Community's seventeenth Ordinary Summit had appointed Benjamin Mkapa, former President of the United Republic of Tanzania, to facilitate the mediation under President Museveni's leadership. The Group would be interested to learn how the proposed special political mission would complement the work of the regional and subregional actors. The Group would also seek clarification of the linkages to the Community's work and the support to be provided for it. The proposed staffing structure should have taken into account the existing structure in the United Nations system and at the regional and subregional levels.

10. With regard to international support for Burundi, the Group was disappointed that certain stakeholders had cancelled or suspended their involvement in the country's development programme. The Group expected that the full commitment of partners would be reinstated unconditionally so as to facilitate the development aspirations of the Burundian people.

11. The success of United Nations operations in Burundi and elsewhere largely depended on the credibility, impartiality and professionalism of their staff. The Group requested the Secretary-General to ensure that the team to be deployed in Burundi strictly observed those basic principles.

12. The Group would examine the proposals carefully and in good faith with the aim only of ensuring the approval of an effective and professional team of experts that would work with the Government of Burundi and regional actors and that would not seek to prolong its mandate. The Group trusted that the Secretariat would provide adequate and timely responses to its requests for clarification.

13. **Mr. de Preter** (Observer for the European Union), noting that three weeks had passed since the start of the first part of the resumed session, said that it was regrettable that important issues such as the proposals relating to the special political mission for Burundi were only now being introduced, while others had not yet been introduced at all. Some of those issues, such as the revised estimates for the resident coordinator system, were of crucial importance for the delivery of mandates in the field, particularly in relation to the implementation of the 2030 Agenda for Sustainable Development. Other issues, such as amendments to the Staff Regulations and Rules, were time-bound. He asked the Secretariat to explain the exact reasons for the delays and asked the Chair of the Advisory Committee to elaborate on the measures the Advisory Committee was taking to expedite its work so that the Fifth Committee, in turn, could complete its programme of work.

14. Time and again, the States members of the European Union had recalled the importance of timely submission of all required documentation in all official languages, which was key to facilitating the quality and speed of the Committee's discussions on an equal basis among Member States.

15. The current delays reflected badly on the Committee. On 23 December 2015, in its resolution 70/247, the General Assembly had requested the Secretary-General to transmit reports to the Advisory Committee no later than two weeks in advance of its scheduled consideration of items so as to ensure that the Advisory Committee would, in turn, provide its advice to the General Assembly no later than two weeks in advance of formal introduction of an item,

with an exception for revised estimates and programme budget implications arising in the course of the main part of the session of the Assembly. Barely three months later, it had to be acknowledged that the Committee was not abiding by a resolution that it had itself submitted.

16. Committee members had also been led to believe that there was an informal understanding that items could not and should not be introduced during the last week of a session. That point had now been reached for the first part of the resumed session. The European Union member States therefore sought the Chair's guidance on what to do next, bearing in mind that they were not in a position to agree to extend the session under any circumstances and that they wished to abide by resolutions that had originated in the Committee.

17. **The Chair** said that unedited advance versions of the reports on amendments to the Staff Regulations and Rules and on the resident coordinator system had been made available to the Bureau and were being shared with all constituencies.

18. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee was always mindful of the Fifth Committee's programme of work and of the schedule for the issuance of reports set out in General Assembly resolution 70/247. He had always been candid about the fact that the Advisory Committee required four to five weeks on average to issue a report. It had adhered to that turnaround time for all its reports for the first part of the resumed session; indeed, it had produced three reports within three weeks and was about to issue another that had been produced within one week. The Advisory Committee had achieved those results by working additional hours and by taking advance questions from Fifth Committee members. Since the Advisory Committee had been focusing its efforts on completing the reports for the first part of the resumed session, it was now behind schedule with its reports regarding peacekeeping missions for the second part of the resumed session. Nonetheless, it was making every effort to issue them on time. He stood ready to discuss other measures that could be taken to ensure that reports were produced earlier. The only report currently being worked on was the report on revised estimates relating to the implementation of the recommendations of the High-level Independent Panel on Peace Operations, which should be ready within the next few days.

19. **Ms. Bartsiotas** (Controller) said that the Secretariat also took the timing and quality of documents very seriously. It worked closely with the Advisory Committee and made every effort to respond to the latter's questions in a timely manner.

20. Noting that the mandates for the particular documents mentioned by the representative of the European Union had been adopted on 23 December 2015, she said that the report on the resident coordinator system had been issued at the end of January, while the proposal relating to the 2030 Agenda for Sustainable Development, which had entailed a comprehensive process of consultation both within and outside the Organization, would be issued shortly. The budget proposal relating to the special political mission for Burundi had been issued on 10 February. Political developments did not necessarily synchronize with intergovernmental processes, but the Secretariat was aware that the Committee needed the relevant documents in order to carry out its work in an efficient manner. It was committed to transparency regarding the schedule for the mandating, production, review and finalization of reports, and to working with the Advisory Committee and the secretariat of the Fifth Committee to ensure that the process ran smoothly.

21. **Mr. Sánchez Azcuy** (Cuba) said that his delegation shared many of the frustrations expressed by the representative of the European Union. Indeed, many reports in addition to the ones he had mentioned were still outstanding; in some cases, the relevant mandates had been adopted six months previously and there was even one report for which the mandate had been adopted as far back as July 2015.

22. In the production of reports, the main responsibility lay not with the Department for General Assembly and Conference Management nor with the Controller but with author departments, which should supply their input for reports in a timely fashion so as to avoid delays further down the line. During the current part of the resumed session, the Committee had been adding reports to its programme of work as they became available because of submission delays. Furthermore, all the reports for the second part of the resumed session should have been ready by February at the latest, because that was when the Advisory Committee needed to be reviewing them. It was

therefore also unfair for the Committee to direct its frustration at the Advisory Committee.

23. **Mr. Kisoka** (United Republic of Tanzania) said that his delegation shared the frustration expressed by previous speakers about the delays in the issuance of documentation and did not fully accept the explanations provided by the Controller and the Chair of the Advisory Committee. A number of important proposals were well overdue, including the proposal relating to the 2030 Agenda for Sustainable Development, on which other actors had begun work soon after the adoption of the relevant mandate. It was difficult to understand the reasons for the delays. Furthermore, despite the Secretary-General's commitment to greater transparency and accountability — an example of which was the decision to make public the audit reports of the Office of Internal Oversight Services — a memorandum sent to stakeholders on the 2030 Agenda had not been provided to Member States on the grounds that it was an internal document.

24. His delegation also failed to understand the rationale for the setting of priorities by the Secretary-General. For example, the documentation relating to the implementation of a flexible workplace at United Nations Headquarters, requiring resources of around $65 million, had been produced in a timely fashion, whereas the report on revised estimates relating to the implementation of the recommendations of the High-level Independent Panel on Peace Operations (A/70/745), which amounted to around $12 million and were crucial to mediation efforts that would directly affect the lives of people on the ground, had been issued late, while the related report of the Advisory Committee was still outstanding.

*The meeting rose at 10.40 a.m.*

United Nations A/C.5/70/SR.31

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# Fifth Committee

**Summary record of the 31st meeting**
Held at Headquarters, New York, on Monday, 21 March 2016, at 10 a.m.

*Chair*: Mr. Bhattarai ..... (Nepal)
*later*: Mr. Castañeda Solares (Vice-Chair) ..... (Guatemala)
*Chair of the Advisory Committee on Administrative and Budgetary Questions*: Mr. Ruiz Massieu

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*Strategic capital review*

*Capital/refurbishment/construction projects across the United Nations system organizations*

Agenda item 146: Financing of the International Residual Mechanism for Criminal Tribunals (*continued*)

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16-04515 (E)

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*The meeting was called to order at 10.05 a.m.*

**Agenda item 139: Human resources management** (*continued*)

*Amendments to the Staff Regulations and Rules*
(A/70/746 and A/70/789)

1. **Mr. Kisob** (Office of Human Resources Management), introducing the Secretary-General's report on amendments to the Staff Regulations and Rules (A/70/746), said that the General Assembly, in its resolution 70/244, had approved changes to the compensation package for staff in the Professional and higher categories, to come into force on 1 July 2016 unless otherwise established. The changes included the introduction of a threshold of five years of expatriate service as an eligibility requirement for the repatriation grant; in relation to relocation, the discontinuance of the non-removal allowance and the replacement of the assignment grant with a settling-in grant and options related to relocation shipments; and, in relation to field allowances and benefits, the adjustment of the hardship allowance rates, the replacement of the additional hardship allowance with the non-family service allowance, the replacement of the mobility allowance with a mobility incentive; and the discontinuance of accelerated home leave, except at category D and E duty stations that fell outside the rest and recuperation framework.

2. The changes related to the repatriation grant and accelerated home leave required the approval of the General Assembly. The report contained a proposed amendment to regulation 5.3 of the Staff Regulations to reflect the Assembly's decision on accelerated home leave. Subject to the Assembly's approval, the criteria for designating the duty stations at which staff were eligible for such leave would be set out in a revised administrative instruction.

3. The report contained proposed amendments to annex IV to the Staff Regulations to implement the Assembly's decision on the repatriation grant. Subject to the Assembly's approval, the Secretary-General would provisionally issue an amendment to rule 3.19 of the Staff Rules and amendments to the relevant administrative instruction. He would also provisionally issue a new rule in chapter XIII of the Staff Rules, establishing a transitional measure under which staff in post would retain their eligibility under the current grant schedule up to the number of years of expatriate service accrued at the time of implementation of the revised scheme.

4. As amendments to the Staff Regulations were not required for the remaining changes to come into force, the Secretary-General would implement the changes through provisional staff rules and amendments to administrative issuances.

5. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/70/789), said that the proposed amendment to regulation 5.3 of the Staff Regulations would be clearer if, for example, provision were made in it for the Secretary-General to grant home leave every 12 months to eligible staff members at designated duty stations having the most difficult conditions of life and work.

6. The proposed amendment to annex IV to the Staff Regulations would be clearer if, for example, provision were made in it for the repatriation grant to be payable in principle to staff members who had completed at least five years of qualifying service, defined in amended rule 3.19 of the Staff Rules as five years or more of continuous service and residence away from the home country and the country of nationality.

**Agenda item 134: Programme budget for the biennium 2016-2017** (*continued*)

*Proposed United Nations Secretariat contribution to the United Nations Development Group cost-sharing arrangement for the resident coordinator system*
(A/70/7/Add.48 and A/70/703)

7. **Mr. Huisman** (Director, Programme Planning and Budget Division), introducing the Secretary-General's report on the proposed United Nations Secretariat contribution to the United Nations Development Group cost-sharing arrangement for the resident coordinator system (A/70/703), said that the report had been issued in response to General Assembly resolution 70/247, in which the Assembly recalled paragraphs IV.24 to IV.28 of the Advisory Committee's first report on the proposed programme budget for the biennium 2016-2017 (A/70/7) and requested the Secretary-General to provide further information on the proposed Secretariat contribution to support the resident coordinator system at the first part of the resumed seventieth session. That information was provided in the Secretary-General's report

(A/70/703). The funding of the system at the global, regional, and country levels was set out in tables 1, 2 and 3, and the cost-sharing formula for 2016 and 2017 was set out in table 4.

8. The resident coordinator system helped Secretariat entities to be better partners for Governments, including in supporting the 2030 Agenda for Sustainable Development. The services provided through the system, including access, organizational support, information-sharing and analysis, and participation in system-wide planning, were of a different nature from transaction-based services, which could be directly provided by the United Nations Development Programme (UNDP), were reimbursed on a transaction basis and were not covered by the requested funding.

9. The cost-sharing arrangement was essential to a well-functioning and sustainable resident coordinator system. The requested resources represented part of that arrangement, based on the objective criteria of expenditure, staffing and participation in system-wide planning.

10. The Secretary-General requested an appropriation of $13,321,574 as the Secretariat contribution to the system for the biennium 2016-2017.

11. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/70/7/Add.48), noted the importance of the resident coordinator system. The Secretariat contribution should be based on a clear cost-sharing formula; however, the Secretary-General's proposal did not comply with General Assembly resolution 67/226, which stated that contributions should reflect the direct involvement of each entity, based on the proportion of services used. Changes in the membership of the United Nations Development Group must be factored into the cost-sharing arrangement.

12. No provision was made, in the financial and performance reporting mechanisms proposed by the Secretary-General, for a unified mechanism for intergovernmental consideration of all aspects of the cost-sharing arrangement, including the global budget of the resident coordinator system. As the custodian of that system, the UNDP Executive Board might be best placed to address the matter. The Advisory Committee would review the global budget in the context of its consideration of the UNDP institutional budget.

13. The Secretary-General should provide further justification for his proposal and resubmit it to the General Assembly. In the interim, the Advisory Committee recommended approval of an appropriation of $6.5 million to cover the Secretariat's contribution for 2016.

14. **Ms. Wairatpanij** (Thailand), speaking on behalf of the Group of 77 and China, said that the Group attached great importance to the Committee's exclusive competence in administrative and budgetary questions. The quality of the Committee's work had direct implications throughout the Organization, since mandate implementation depended on adequate resourcing.

15. The Group was disappointed with the delay in the preparation of the Secretary-General's report (A/70/703). Discussion of the matter had been deferred to the first part of the resumed session to allow for four weeks of comprehensive consultations, but the report had not been formally introduced until the current meeting, only three days before the end of the current part of the resumed session.

16. The delay had not only jeopardized the result of the discussions but had also put unnecessary pressure on the Advisory Committee to produce its report in time. The Group appreciated the efforts of the Advisory Committee, whose operational arrangements and conditions of service should be enhanced. The Secretary-General should take steps to avoid the recurrence of delays.

17. The Group fully supported the United Nations development system, in particular UNDP. The UNDP-led resident coordinator system, with its strong expertise and presence on the ground, had made a vital contribution to development. As the international community implemented the universal development agenda and attempted to break out of the silos that characterized United Nations action, coordination was critical in ensuring that no one was left behind. Resident coordinators must have stable and predictable resources to fulfil their mandates. However, the Group had misgivings regarding the proposed cost-sharing formula for the resident coordinator system, which had not been approved by the General Assembly.

18. Although the Committee was now considering the matter for the third time, the Secretary-General had still not provided comprehensive information on the cost-sharing formula. The Group would seek further information on the budget for the resident coordinator system and accountability for the expenditure of regular budget resources. It would request explanations concerning the Advisory Committee's comments regarding the lack of a clear link between entity staffing and expenditure and the level of services provided by the resident coordinator system to each United Nations Development Group member organization.

19. The Group noted the Advisory Committee's comments regarding the absence of a unified mechanism for intergovernmental consideration of all aspects of the cost-sharing arrangement, including the global budget for the resident coordinator system, and sought further information regarding the proposed financial and performance reporting mechanisms.

20. Based on the information provided by the Secretariat and the recommendations of the Advisory Committee, the Group would consider the resources requested by the Secretary-General, and would engage constructively despite the limited time remaining.

21. **Mr. Probst-Lopez** (Switzerland), speaking also on behalf of Liechtenstein, said that the fragmentation of the United Nations system was one of the greatest obstacles to achieving the Organization's objectives efficiently and effectively. The resident coordinator system was essential to a coherent United Nations development system, and had enabled great progress in development activities.

22. The 2030 Agenda for Sustainable Development necessitated integration of capacities and resources across the United Nations system. Country-level coordination was essential to a more effective United Nations. In his report on the implementation of General Assembly resolution 67/226 on the quadrennial comprehensive policy review of operational activities for development of the United Nations system (A/71/63-E/2016/8), the Secretary-General stated that the significant increase in the number of programme countries implementing the "Delivering as one" approach had enhanced the importance of the resident coordinator function as the cornerstone of the 2030 Agenda. The strategic capacities and higher-level coordination of the resident coordinator system must be improved to attain the objectives set out in the Agenda.

23. A strong, sustainably funded resident coordinator system would enable a more integrated United Nations presence at the country level, to the benefit of all Member States. The financial burden should be shared throughout the United Nations system in line with the criteria set out in the Secretary-General's report (A/70/703). The two delegations urged the General Assembly to approve the proposed Secretariat contribution.

24. *Mr. Castañeda Solares (Guatemala), Vice-Chair, took the Chair.*

*Strategic capital review* (A/70/7/Add.43 and A/70/697)

*Capital/refurbishment/construction projects across the United Nations system organizations* (A/70/368 and A/70/368/Add.1)

25. **Mr. Cutts** (Assistant Secretary-General for Central Support Services), introducing the report of the Secretary-General on the strategic capital review (A/70/697), said that the review was a 20-year projection of capital requirements across the global premises of the Secretariat under a rolling programme to identify requirements and alert Member States to anticipated project proposals in future budget cycles. The key objectives were to provide safe and healthy working environments for United Nations delegates, visitors and staff over the long term; to comply with the Convention on the Rights of Persons with Disabilities; to maintain property value, maximize efficient use of existing space, modernize building systems and move towards more energy-efficient facilities; and to preserve heritage assets and minimize work disruption during capital improvement projects. The review covered eight major duty stations as well as 20 subregional offices of the regional commissions and the International Residual Mechanism for Criminal Tribunals in Arusha.

26. The report provided information on the ongoing refinement of the 20-year rolling capital programme as well as on the current status of capital projects and of feasibility studies for several proposed projects. It also provided an updated cost-benefit comparison of the incremental recapitalization, or proactive, approach to maintaining property and the run-to-fail, or reactive, approach. Given the added costs of swing space

requirements, additional soft costs for dedicated project management teams and additional remedial works required, the Secretariat estimated that the recommended incremental recapitalization approach could save the Organization roughly 32 per cent in total capital requirements over the following 50 years. That benefit alone was compelling, and was in addition to estimated savings of 12 per cent in ongoing operational costs and the avoidance of the risks inherent in large-scale projects by undertaking works gradually over time.

27. The report also included an updated list of proposed near-term capital projects at the United Nations Office at Nairobi, the Economic Commission for Africa in Addis Ababa, the Economic and Social Commission for Asia and the Pacific in Bangkok, and the Economic Commission for Latin America and the Caribbean in Santiago. The projects were organized according to priority needs in terms of life safety, modernization and programmatic objectives. The list had been updated to include the resource requirements approved by the General Assembly in the 2016-2017 programme budget in respect of pre-planning activities for the projects.

28. The Assembly had requested the Office of Central Support Services to ensure that best practices and lessons learned from the strategic capital review were disseminated among duty stations. The report provided updated guidelines for the management of the Organization's construction projects, issued in January 2016. The guidelines set global policy on the roles and responsibilities of various actors during different construction phases, with an emphasis on project controls, including risk management and the use of contingency funding.

29. The Office of Central Support Services continued to provide technical guidance, advice and support for capital projects undertaken by the Secretariat and, in response to recent Assembly resolutions, was currently considering how to strengthen its oversight role and ensure greater emphasis on risk management.

30. The strategic capital review and related projects were coordinated by the Overseas Property Management Unit. Due to the age, number and value of the buildings and infrastructure assets owned by the Organization, and the immediate work required to improve those assets, the workload of the Unit had increased significantly since 2010, when the total value of ongoing construction projects had stood at only $48 million. In 2016, the total value was more than $900 million, with additional projects planned valued at over $100 million. In that context, the Secretary-General intended to review the capacity of the Unit and make proposals in the proposed programme budget for the biennium 2018-2019.

31. The report included detailed information on accessibility for persons with disabilities, long-term accommodation needs at offices away from Headquarters, flexible workplace strategies, and budgeting and funding mechanisms; it was intended to serve as a planning tool for the Assembly in considering cross-cutting policy issues that affected capital planning across the Organization, and to allow planning for future capital requirements well in advance. The report was not intended to serve as a mechanism for seeking approval for specific project proposals. Rather, such proposals would be made either as part of the proposed programme budget or as stand-alone proposals, and the Assembly would be requested to consider individual proposals on their own merit.

32. The Assembly was requested to take note of the report and to request the Secretary-General to report at the main part of the seventy-second session of the Assembly.

33. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/70/7/Add.43), said that the Advisory Committee welcomed the completion of the initial strategic capital review in May 2015 and the updated information provided in the report of the Secretary-General.

34. In its report, the Advisory Committee discussed issues related to the cost-benefit analysis of capital maintenance approaches and noted the comparative analysis by the Secretariat and the resultant cost estimates. However, the assumptions made for the comparative analysis had not been valid in terms of the current useful life of all buildings of the Organization and the calculation of values and maintenance costs. Furthermore, the selection of only five among 132 buildings and facilities from two locations might not reflect all aspects of the global property portfolio of the Organization.

35. The Advisory Committee noted that the Secretariat had recently issued guidelines for the

management of global construction projects to Headquarters and offices away from Headquarters, but was of the view that some aspects could be clarified. On project contingency provisions, the Advisory Committee reiterated its view concerning the Secretariat's interpretation that contingency provisions were part of the approved project budget and were separated from base project costs for presentation purposes only.

36. **The Chair** drew the Committee's attention to notes by the Secretary-General transmitting the report of the Joint Inspection Unit on capital/refurbishment/construction projects across the United Nations system organizations (A/70/368), as well as his comments and those of the United Nations System Chief Executives Board for Coordination thereon (A/70/368/Add.1), as well as written statements, circulated to the Committee, by the Joint Inspection Unit and the Chief Executives Board.

37. **Ms. Wairatpanij** (Thailand), speaking on behalf of the Group of 77 and China, welcomed the Secretary-General's development of a global property management framework in the context of the strategic capital review. The Group recognized the potential benefits of the property management framework, including identifying in advance deficiencies in buildings and structures to ensure compliance with building codes. The framework would also allow forecasting of capital maintenance requirements over a 20-year period and preparations to be made for the required funding and management. It should be updated on an ongoing basis to ensure effective and efficient maintenance of United Nations-owned buildings and facilities.

38. She noted that the Secretary-General had updated the list of prioritized capital projects to respond to critical aspects of life safety, modernization and maintenance as well as changing client needs, including accessibility. Prioritization was important to allow proper sequencing of the maintenance plan and mobilization of adequate resources. However, the Group would seek more information on changes in prioritization, including those related to maintenance and construction in Nairobi, Addis Ababa, Santiago and Bangkok. In that context, the Group welcomed the intention to engage host countries from the early planning phase of projects and to seek their assistance.

39. With regard to other reform initiatives under way, including flexible workplace strategies and the global service delivery model, the Secretary-General should indicate their effect on the strategic capital review in future updates.

40. The availability of the required human resource capacities and know-how in each duty station was a key element in the implementation of the strategic capital review, and the Group supported the proposal to strengthen capacities in that area. The review should address the accommodation needs of all United Nations offices and staff in accordance with General Assembly resolution 70/170, on the full realization of an inclusive and accessible United Nations for persons with disabilities. The Group was pleased to note that the report addressed access to United Nations facilities by persons with disabilities.

41. The Group paid close attention to the proposed oversight and governance structures. The services of the Office of Internal Oversight Services should be enlisted throughout the implementation of the projects proposed under the strategic capital review so that the Office could provide guidance and coordination to all offices away from Headquarters in all stages of construction and maintenance.

**Agenda item 146: Financing of the International Residual Mechanism for Criminal Tribunals** (*continued*) (A/C.5/70/L.27)

*Draft resolution A/C.5/70/L.27: Construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch*

42. *Draft resolution A/C.5/70/L.27 was adopted.*

*The meeting rose at 10.55 a.m.*

United Nations A/C.5/70/SR.32

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# Fifth Committee

**Summary record of the 32nd meeting**
Held at Headquarters, New York, on Thursday, 24 March 2016, at 3 p.m.

*Chair*: Mr. Bhattarai ..... (Nepal)
*Chair of the Advisory Committee on Administrative and Budgetary Questions*: Mr. Ruiz Massieu

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*The meeting was called to order at 4.20 p.m.*

**Agenda item 114: Appointments to fill vacancies in subsidiary organs and other appointments** (*continued*)

**(a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions** (*continued*) (A/70/101/Add.1)

1. **The Chair** drew attention to document A/70/101/Add.1, which indicated that Mr. Moon (United Kingdom) had resigned from the Advisory Committee on Administrative and Budgetary Questions with effect from 16 May 2016 and that the Government of the United Kingdom of Great Britain and Northern Ireland had nominated Ms. Carmel Power, whose candidature had been endorsed by the Group of Western European and Other States, to complete the unexpired portion of Mr. Moon's term of office. He said he took it that the Committee wished to recommend the appointment of Ms. Power to the Advisory Committee for a term of office beginning on 16 May 2016 and ending on 31 December 2016.

2. *It was so decided.*

3. *Ms. Power was recommended for appointment to the Advisory Committee on Administrative and Budgetary Questions for a term of office beginning on 16 May 2016 and ending on 31 December 2016.*

**Agenda item 139: Human Resources Management** (*continued*)

*Amendments to the Staff Regulations and Rules* (*continued*) (A/C.5/70/L.28)

*Draft resolution A/C.5/70/L.28: Amendments to the Staff Regulations and Rules*

4. *Draft resolution A/C.5/70/L.28 was adopted.*

**Agenda item 140: Joint Inspection Unit** (*continued*) (A/C.5/70/L.29)

*Draft resolution A/C.5/70/L.29: Joint Inspection Unit*

5. *Draft resolution A/C.5/70/L.29 was adopted.*

**Agenda item 134: Programme budget for the biennium 2016-2017** (*continued*)

*Special subjects relating to the programme budget for the biennium 2016-2017* (A/C.5/70/L.31)

*Draft resolution A/C.5/70/L.31: Special subjects relating to the programme budget for the biennium 2016-2017*

6. *Draft resolution A/C.5/70/L.31 was adopted.*

7. **Mr. Awad** (Syrian Arab Republic) said that his Government reaffirmed its principled and long-standing commitment to providing humanitarian assistance to all needy and affected persons, without discrimination, in accordance with its constitutional duties, and was pursuing its cooperation with the United Nations in order to ensure that the delivery of such assistance adhered to the guiding principles for humanitarian emergency assistance set out in General Assembly resolution 46/182, particularly national sovereignty, the role of the State in supervising the delivery of assistance within its territory, neutrality, impartiality and non-politicization.

8. It was important to deliver humanitarian assistance from inside Syrian territory. Thanks to the efforts and cooperation of the Government and thousands of Syrian Arab Red Crescent volunteers, nearly 4 million people per month received assistance delivered in that manner. By contrast, the very small number of individuals benefiting from cross-border assistance confirmed the ineffectiveness of the measures taken by the United Nations to implement Security Council resolutions 2165 (2014), 2191 (2014) and 2258 (2015). Crossing points for assistance were exploited by States whose identity was known to all, in order to convey arms and aid to the armed terrorist groups. The Government had informed the United Nations Resident Coordinator of the new administrative procedure for dispatching joint humanitarian convoys to unstable areas. The procedure had been shortened from nine steps to only two.

9. Despite having joined the consensus on the draft resolution, his delegation wished to place on record its reservations regarding the financial resources allocated to the United Nations Monitoring Mechanism, as set out in section IV, and as detailed in the report of the Secretary-General on the United Nations Monitoring Mechanism (A/70/726), believing that those substantial sums could be put to better use to increase the

proportion of humanitarian assistance provided by international agencies operating within the country in cooperation with the Syrian Government. That approach was demonstrably effective and prevented humanitarian assistance from falling into the wrong hands, namely, those of Islamic State in Iraq and the Levant, the Nusrah Front and related groups.

10. His delegation also wished to place on record its objection to a number of aspects of the report of the Secretary-General on the United Nations Monitoring Mechanism (A/70/726), beginning with the stated objectives and expected accomplishments of the Mechanism. He recalled that the mandate of the Mechanism did not include the delivery of assistance inside Syrian territory, and emphasized that the United Nations was unable to determine what happened to the assistance delivered across the border. The Mechanism must not extend to humanitarian operations carried out inside Syrian territory, which were covered by the ongoing cooperation and coordination between the Government and the United Nations Resident Coordinator. Accordingly, the references in paragraph 17 of the report to ensuring that humanitarian assistance reached people in need throughout the Syrian Arab Republic by the most direct route; to increasing the number of humanitarian trucks crossing the border, and to increasing the amount of humanitarian aid reaching people in need throughout the Syrian Arab Republic, were inappropriate. In addition, the statistics on humanitarian needs, in paragraph 1, and the statistics on cross-border operations, in paragraphs 9 and 10, lacked precision, or were only estimates taken from the 2016 humanitarian response plan for the country.

11. His delegation also challenged the reference, in paragraph 2, to obstacles to delivery of assistance in hard-to-reach areas, as that reference had no place in the report, given that mandate of the Monitoring Mechanism did not include delivering assistance to unstable areas in Syrian territory. In paragraph 5, the reference to close links between the Monitoring Mechanism and the Syrian Arab Republic was inaccurate, as the Monitoring Mechanism did not cooperate effectively with the Government. Lastly, his delegation objected to the use by the United Nations of the phrase "local authorities", notably in paragraphs 5 and 17, to describe the unauthorized groups with which it worked in unstable areas.

12. **Mr. Yazdani** (Islamic Republic of Iran) said that he wished to comment on section V of the draft resolution, specifically the references in its section II to support for the implementation of Security Council resolution 2231 (2015) concerning his country's nuclear programme. While his delegation had shown flexibility in joining the consensus on the draft resolution as a whole, that action should not be interpreted as signifying agreement with the United Nations Secretariat's description of its functions in connection with the practical arrangements and procedures for the implementation of the resolution.

13. In the view of his delegation, neither the resolution itself, nor the associated note by the President of the Security Council (S/2016/44), had provided a mandate to establish any new structures, and none should therefore be created. His delegation was concerned that, while the implementation functions assigned to the United Nations Secretariat were purely administrative, and were intended to support the work of the Security Council, the description of the scope of work of the Security Council Affairs Division of the Secretariat's Department of Political Affairs in connection with implementation of the resolution had gone beyond the established mandate. That mandate clearly did not authorize the Security Council Affairs Division to undertake such substantive tasks as monitoring missions or fact-finding missions. Accordingly, much of the proposed travel was unnecessary and would only squander financial resources. His delegation therefore wished to place on record its desire to disassociate itself from the consensus in connection with the paragraph of the draft resolution allocating resources for that unnecessary travel.

14. Monitoring of the implementation of the resolution was a new and unprecedented task for the Security Council Affairs Division and for the General Assembly. The latter must take decisions regarding support staff whose workload was as yet unknown. The Committee must ensure that implementation of the resolution was backed by the necessary financial and human resources, while also preventing a situation in which there was insufficient work for the support staff in question. The reason for his delegation's many questions of substance during the informal consultations on the matter was its preference for starting with a low level of staffing and making subsequent adjustments. His delegation would continue

to monitor the performance of the support staff, and urged other delegations to do likewise, in the interests of making the best use of the available resources. It also urged the Secretariat to adapt to the new circumstances brought by the fundamental shift in the approach of the Security Council, taking account of his country's peaceful nuclear programme.

15. **Ms. Aşık** (Turkey) said that she felt obliged to respond to the allegations made by the representative of the Syrian regime, whose claims were without foundation and were being made in an inappropriate forum, having nothing to do with the business of the Fifth Committee. Her delegation did not accept them, and looked forward to discussing them at another time and in another setting.

16. **Mr. Awad** (Syrian Arab Republic) said that he did not understand why the representative of Turkey had commented on his statement, which had merely reflected the position of the Syrian Arab Republic and had made no mention of any other country. It had referred only to statistics which, having been provided by United Nations agencies, could be verified in their reports. He was well aware that the Fifth Committee was not the appropriate forum for discussing matters unrelated to its business.

17. **Ms. Aşık** (Turkey) said everyone was aware of the content of the resolution, of the channels of assistance to the Syrian regime, and of the use of Turkish and Jordanian territory. Her delegation understood clearly the content of the statement made.

**Agenda item 132: Review of the efficiency of the administrative and financial functioning of the United Nations** (*continued*)

*Progress towards an accountability system in the United Nations Secretariat* (*continued*) (A/C.5/70/L.30)

*Draft resolution A/C.5/70/L.30: Progress towards an accountability system in the United Nations Secretariat*

18. *Draft resolution A/C.5/70/L.30 was adopted.*

*Questions deferred for future consideration* (A/C.5/70/L.32)

*Draft decision A/C.5/70/L.32: Questions deferred for future consideration*

19. *Draft decision A/C.5/70/L.32 was adopted.*

**Completion of the work of the Fifth Committee at the first part of the resumed seventieth session of the General Assembly**

20. **Ms. Wairatpanij** (Thailand), speaking on behalf of the Group of 77 and China, said that the Group welcomed the Committee's adherence to the programme of work, which had led to the successful conclusion of discussions on significant items including the Joint Inspection Unit, accountability and the financing of the International Residual Mechanism for Criminal Tribunals in connection with construction in Arusha. However, it wished to reiterate the concern it had expressed from the outset at difficulties with the documentation for the session, notably late submission and insufficiently informative content. Such recurring problems adversely affected the work of the Committee, which would have had more time to conduct substantive discussions had documents been received in time. The Group attached great importance to the report on revised estimates for the implementation of the 2030 Agenda and the Addis Ababa Action Agenda, and deeply regretted its late issuance, which had left the Advisory Committee with too little time to make its related recommendations. Given that early implementation of those policies was a priority, the Group expected that the matter would be taken up at the second part of the resumed seventieth session. The Group also regretted the failure to complete consideration of the operational arrangements and conditions of service of the Advisory Committee, a matter to which it and the Committee had devoted considerable effort.

21. **Mr. Kisoka** (United Republic of Tanzania), speaking on behalf of the Group of African States, welcomed the successful conclusion of discussions on a number of items, including those relating to special political missions, and specifically to Burundi, where the mandate provided by the Organization should be implemented in an effective and efficient manner. However, the Group was disappointed at the failure to conclude discussion of such items as the operational arrangements and conditions of service of the Advisory Committee, and the difficulty in obtaining the Secretary-General's proposals regarding implementation of the 2030 Agenda and the Addis Ababa Action Agenda It looked forward to rapid consideration of those key matters, and others of which consideration had been deferred.

22. **Mr. de Preter** (Observer for the European Union) said that, while the Committee had not exceeded its allotted meeting time, all parties involved must share responsibility for improving its working methods. That applied particularly to late issuance of documentation, a recurring problem which must be resolved by the Member States, the Bureau, the Advisory Committee and the Secretariat, acting together. The member States of the European Union particularly regretted that late issuance of the required documentation had led the Committee once again to be unable to conclude its discussion of a number of issues, particularly the proposed cost-sharing arrangement for the resident coordinator system. Consideration of that matter was long overdue. In addition, the deferral of discussion of the flexible workplace arrangements risked harming the well-being and productivity of staff and risked increasing the burden on the budget of the Office of Central Support Services through higher rental costs.

23. The Committee should recognize that its workload in the second part of the resumed session of the General Assembly was historically heavy, and should therefore focus on time-bound issues connected with the financing and administration of peacekeeping operations and the implementation of related mandates, including those resulting from the strategic review of all aspects of peacekeeping operations and General Assembly Resolution 70/6 on strengthening of the United Nations system. Should the programme of work be too heavy, it was neither feasible nor productive to conduct discussions without the support of the Fifth Committee secretariat or appropriate conference services during normal working hours.

24. **Ms. Norman Chalet** (United States of America) said that her delegation welcomed the conclusion of the Committee's discussions within the allotted time, with consensus being reached on key issues. Those issues included accountability, with Member States recognizing the importance of protecting whistle-blowers from retaliation, preventing fraud against the Organization, and taking continued action against sexual exploitation and abuse, including through the proper investigation of credible allegations of such abuse, and holding those responsible to account. Those issues also included the strategic capital review, for better management of major capital projects, and improving the operational effectiveness of special political missions, with the approval of additional resources, particularly for efforts in Burundi. In connection with funding and backstopping arrangements for special political missions, consideration of which had been deferred to the main part of the seventy-first session, her delegation looked forward to pursuing a mutually acceptable solution in the following months.

25. In some other respects, however, the first part of the resumed seventieth session had brought disappointment, particularly with the Committee's failure to approve the necessary resources for flexible workplace arrangements. That ignored the prospect of long-term gain, deferred an opportunity for more cost-effective use of space at Headquarters which had been shown to have an average daily occupancy rate of under 50 percent, and left the Organization dependent on expensive commercial leases for staff who could not be accommodated on the main campus. Worse still, it halted the effort in mid-stream, leaving staff stranded in temporary offices and risking the disappearance of expertise needed to complete the project. That failure showed that, despite better working practices in the Fifth Committee, sound decision-making could still be hampered by other interests. With the second part of the resumed seventieth session only a few weeks away, her delegation would encourage collaboration to ensure proper and full consideration of the important peacekeeping-related issues before the Committee, including through timely issuance of documentation.

26. **Mr. Sandoval Mendiolea** (Mexico) said that his delegation welcomed the efforts of all to support and guide the work of the Fifth Committee, and to improve the working environment and encourage greater trust. However, it was concerned that the Member States had been unable to reach consensus on a number of important issues on the Committee's programme of work at the first part of the resumed seventieth session. The deferral of consideration of a number of items brought the risk that positions would continue to be polarized, hindering rather than helping the pursuit of the rational financial and administrative management that everyone desired.

27. It was particularly disappointing that the Committee had not fulfilled its commitment to make a decision on reforms to the arrangements for funding and backstopping special political missions. The current administrative and budgetary arrangements for such missions were inadequate and adversely affected the regular budget, accountability, governance and transparency. His delegation looked forward to

addressing those deficiencies, and thus to providing an overdue response to the repeated appeals of the Secretariat, the Advisory Committee and the Board of Auditors. It recalled the recommendation of the High-Level Independent Panel on Peace Operations that reforms should be adopted immediately.

*The meeting rose at 5.05 p.m.*